BILL NO. Z-84-05-10 (AS AMENDED)

ZONING MAP ORDINANCE NO. Z-14-84

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. S-10.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated an RA (Suburban Residential) District under the terms of Chapter 33 of the Code of the City of Fort Wayne, Indiana of 1974:

Part of the Northeast Quarter of Section 5, Township 30 North, Range 13 East, Allen County, Indiana, more particularly described as follows:

Beginning at a point on the East line of the Northeast Quarter of Section 5, Township 30 North, Range 13 East, Allen County, Indiana, said point being 235.0 feet South of the Northeast corner of the NE¼ of Sec. 5-30-13; thence South along the East line of the NE¼ of Sec. 5-30-13 a distance of 350.0 feet; thence West along the North line of Lot #10 and Lot #11 in Greenview Addition, and parallel to the North line of the NE¼ of Sec. 5-30-13, a distance of 250.0 feet, said point being the Northwest corner of Lot #10; thence North along the East line of Lot #5, Lot #6, and Lot #7 in Greenview Addition, and parallel to the East line of the NE¼ of Sec. 5-30-13, a distance of 350.0 feet; thence East parallel to the North line of the NE¼ of Sec. 5-30-13, a distance of 250.0 feet to the point of beginning, containing 2.0 acres, subject to road rights-of-way and easements

and the symbols of the City of Fort Wayne Zoning Map No. S-10, as established by Section 11 of Chapter 33 of the Code of the City of Fort Wayne, Indiana are hereby changed accordingly.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

_____
COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY:

_____
BRUCE O. BOXBERGER, CITY ATTORNEY

BILL NO. Z-84-05-10

ZONING MAP ORDINANCE NO. Z-_____

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. S-10.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated an R-A (Suburban Residential) District under the terms of Chapter 33 of the Code of the City of Fort Wayne, Indiana of 1974:

Part of Lot 1 of a Subdivision of the Fractional Section 5, Township 30 North, Range 13 East, in Allen County, Indiana, as recorded in Deed Record 31, page 436, in the Office of the Recorder of Allen County, Indiana, in particular described as follows:

Beginning at the Northeast corner of said Lot 1, being the Northeast corner of said Section 5, Township 30 North, Range 13 East; thence west along the North line of said Lot 1, a distance of 250 feet to the East line of GREENVALE ADDITION to the City of Fort Wayne, Indiana, as recorded in Plat book 21, pages 131 and 132, extended North; thence South along the East line of said GREENVALE ADDITION, a distance of 585 feet to the Northwest corner of Lot 10 in said GREENVALE ADDITION; thence East along the North line of Lots 10 and 11 and said line extended East, a distance of 250 feet to the East line of said Lot 1 of the Subdivision of Fractional Section 5, Township 30 North, Range 13 East; thence North along the East line of said Lot 1 of the Subdivision of Section 5, Township 30 North, Range 13 East, a distance of 585 feet to the place of beginning, except such part thereof lying within established legal highways

and the symbols of the City of Fort Wayne Zoning Map No. S-10, as established by Section 11 of Chapter 33 of the Code of the City of Fort Wayne, Indiana are hereby changed accordingly.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Janet G. Bradbury
COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY:

BRUCE O. BOXBERGER, CITY ATTORNEY

Read the first time in full and on motion by Bradbury, seconded by Gia Quinta, and duly adopted, read the second time by title and referred to the Committee Regulation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock ____.M.,E.S.T.

DATE: 5-15-84.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Talarico, seconded by Stier, and duly adopted, placed on its passage. PASSED (LOST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	8			1	
BRADBURY				✓	
BURNS	✓				
EISBART	✓				
GiaQUINTA	✓				
HENRY	✓				
REDD	✓				
SCHMIDT	✓				
STIER	✓				
TALARICO	✓				

DATE: 6-26-84

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as ~~(ANNEXATION)~~ ~~(APPROPRIATION)~~ ~~(GENERAL)~~ ~~(SPECIAL)~~ (ZONING MAP) ORDINANCE ~~(RESOLUTION)~~ NO. 3-14-84 on the 26th day of June, 19 84,

ATTEST: (SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Ray A. Eisbart
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of June, 19 84, at the hour of 1:00 o'clock P.M.,E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 27th day of June, 19 84, at the hour of 3:00 o'clock Pm.M.,E.S.T.

Win Moses Jr.
WIN MOSES, JR., MAYOR

PETITION FOR ZONING ORDINANCE AMENDMENT

Receipt No. _____

TO: COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA

Date Filed _____

Intended Use _____

I/~~We~~ Sandra Goeglein

(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from ~~an~~ an R-1 district to ~~an~~ an R-A district the property described as follows:

Part of Section 5, Township 30 North, Range 13 East, Allen County, Indiana, more fully described on Exhibit A attached hereto and made a part hereof by reference.

(Legal Description)

(General Description for Planning Staff Use Only)

I/~~We~~, the undersigned, certify that I am/~~We are~~ the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

(Name)	(Address)	(Signature)
Sandra Goeglein	1411 Reed Road Fort Wayne, IN 46815	x Sandra K Goeglein

Legal Description Checked By: _____
(City Engineer)

NOTE FOLLOWING RULES:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for that meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of the ordinances must be made in writing prior to the Plan Commission's vote on the ordinance.

Name and address of preparer, attorney or agent:

(Name)	(Address)	(Telephone Number)
William D. Swift	590 Lincoln Tower Fort Wayne, IN 46802	(219) 423-4422

CITY PLAN COMMISSION, CITY-COUNTY BUILDING, Room # 880, ONE MAIN STREET, FORT WAYNE, INDIANA, 46802 Telephone Number: 423-7571

EXHIBIT "A"

Part of Lot 1 of a Subdivision of the Fractional Section 5, Township 30 North, Range 13 East, in Allen County, Indiana, as recorded in Deed Record 31, page 436, in the Office of the Recorder of Allen County, Indiana, in particular described as follows:

Beginning at the Northeast corner of said Lot 1, being the Northeast corner of said Section 5, Township 30 North, Range 13 East; thence West along the North line of said Lot 1 a distance of 250 feet to the East line of GREENVALE ADDITION to the City of Fort Wayne, Indiana, as recorded in Plat Book 21, pages 131 and 132, extended North; thence South along the East line of said GREENVALE ADDITION, a distance of 585 feet to the Northwest corner of Lot 10 in said GREENVALE ADDITION; thence East along the North line of Lots 10 and 11 and said line extended East, a distance of 250 feet to the East line of said Lot 1 of the Subdivision of Fractional Section 5, Township 30 North, Range 13 East; thence North along the East line of said Lot 1 of the Subdivision of Section 5, Township 30 North, Range 13 East, a distance of 585 feet to the place of beginning, except such part thereof lying within established legal highways.

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on May 15, 1984, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-84-05-10; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 14, 1984;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Finding of Fact":

(1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;

(2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;

(3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;

(4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,

(5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held May 21, 1984.

Certified and signed this
14th day of June 1984.

Melvin O. Smith
Secretary

BILL NO. Z-84-05-10

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS REFERRED AN ORDINANCE amending the City of Fort Wayne Zoning Map No. S-10

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE Do PASS.

JANET G. BRADBURY, CHAIRWOMAN

SAMUEL J. TALARICO, VICE CHAIRMAN Samuel J. Talarico

CHARLES B. REDD

MARK E. GiaQUINTA Mark E. GiaQuinta

JAMES S. STIER

CONCURRED IN 6-26-84
SANDRA E. KENNEDY, CITY CLERK

Prescribed by State Board of Accounts

A.E. BOYCE CO., MUNCIE, IND. GENERAL FORM NO. 35?

RECEIPT

№ 10680

COMMUNITY DEVELOPMENT & PLANNING

FT. WAYNE, IND., April 30 1984

RECEIVED FROM Hayes, Swift and Lenlayson $50.00

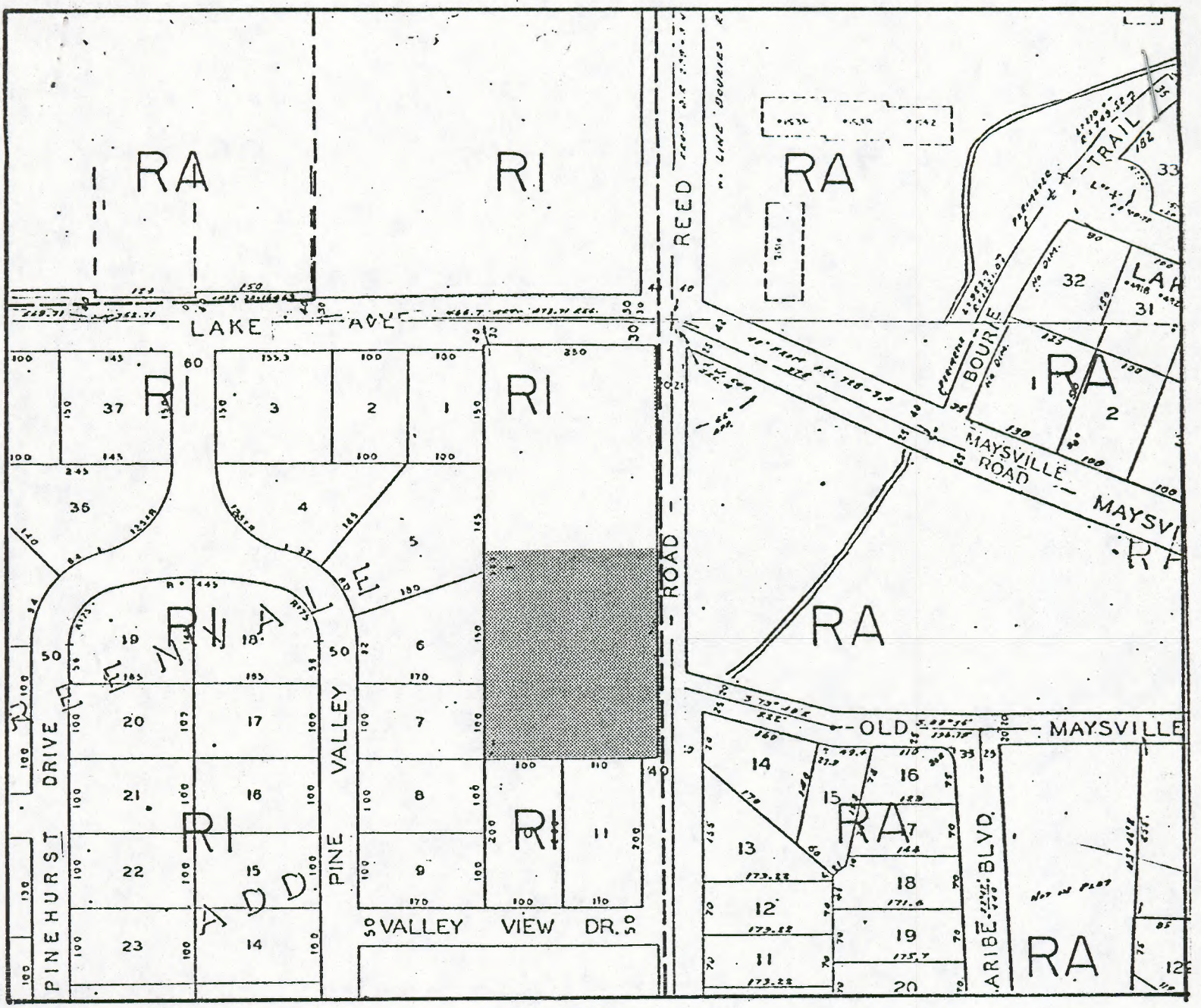
THE SUM OF Fifty Dollars 00/100 DOLLARS

ON ACCOUNT OF Rezoning Filing Fee

Located at Reed Road & Lake Ave.

Gary Baeto

AUTHORIZED SIGNATURE



A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING DESCRIBED PROPERTY FROM AN R-1 TO AN R-A DISTRICT.

N

MAP NO. S-10

Z-84-05-10 (as amended)

5-1-84

The City of Fort Wayne

DIVISION OF LAND USE MANAGEMENT
Department of Community Development & Planning

14 June 1984

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held Myy 21, 1984. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance.

1. Bill No. Z-84-05-10 (AS AMENDED)

2. From R-1 to RA

3. Intended Use: Duplexes

4. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation for the following reason:

REASON: The use or value of the area adjacent to the property included in the rezoning will not be affected in an adverse manner.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING

Gary F. Baeten
Senior Planner

GFB:pb

Attachments

ORIGINAL ORIGINAL Admn. Appr. _____

DIGEST SHEET

TITLE OF ORDINANCE Zoning Ordinance Amendment (as amended)

DEPARTMENT REQUESTING ORDINANCE Land Use Management - CD&P 3-84-05-10

SYNOPSIS OF ORDINANCE A 3.357 Acre parcel of land located on the Southwest corner of Reed Road and Lake Avenue.

EFFECT OF PASSAGE Property is now zoned R-1 - Single Family Residential. Property will become RA - Suburban Residential.

EFFECT OF NON-PASSAGE Property will remain R-1 - Single Family Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE (J.N.) _____